

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NORTH DAKOTA**

Paul Steven Verlinde,)	
)	
Plaintiff,)	ORDER
)	
v.)	
)	
Commissioner of Social Security,)	Case No.: 1:22-cv-00019
)	
Defendant.)	

Plaintiff filed a Complaint and Motion for Summary Judgment on January 31, 2022, and September 29, 2022, respectively. (Doc. Nos. 1 and 14). On December 5, 2022, Defendant filed an opposing Motion for Summary Judgment. (Doc. No. 18). On October 31, 2024, the Court issued an order granting in part Plaintiff's motion and denying Defendant's motion. (Doc. No. 22).

On January 29, 2025, Plaintiff filed a Motion for Attorney's Fees Pursuant to the Equal Justice Act. (Doc. No. 24). He requests an award in the amount of \$8,895.25, expenses of \$18.39, and costs of \$402.00.

On February 10, 2025, the parties filed a Stipulation regarding the Plaintiff's motion. (Doc. No. 27). Therein, the parties stipulated that Plaintiff is awarded \$8,450.49 in attorney's fees and expenses. They also agree Plaintiff shall be compensated for the filing fee of \$402.00 from the Judgment Fund administered by the United States Treasury.

The EAJA provides that a prevailing party is entitled to an award of fees and expenses in an action brought by or against the United States "unless the court finds that the position of the United States was substantially justified or that special circumstances make an award unjust." 28 U.S.C. § 2412(d)(1)(A). There being no objection from Defendant, the court finds Plaintiff is eligible to receive an award of attorney's fees and costs. Accordingly, the Court **ADOPTS** the

parties' stipulation (Doc. No. 27) and finds **MOOT** Plaintiff's Motion for Attorney's Fees. (Doc. No. 24). The Clerk of Court shall enter judgment for the Plaintiff and against the Defendant for attorney's fees and expenses in the amount of \$8,450.49. Plaintiff shall also be compensated for the filing fee of \$402.00. These fees and costs shall be payable directly to Plaintiff. They may be subject to offset to satisfy any pre-existing debt Plaintiff may owe the United States.

IT IS SO ORDERED.

Dated this 11th day of February, 2025.

/s/ Clare R. Hochhalter
Clare R. Hochhalter, Magistrate Judge
United States District Court